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10/550,221	09/20/2005	Mathias Franz	2003P04273WOUS	7812

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Siemens Corporation  
Intellectual Property Department  
170 Wood Avenue South  
Iselin, NJ 08830

EXAMINER
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HO, CHUONG T

ART UNIT	PAPER NUMBER
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2419

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/550,221	<b>Applicant(s)</b> FRANZ ET AL.	
	<b>Examiner</b> CHUONG T. HO	<b>Art Unit</b> 2419	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 September 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 23-26, 28, 31 and 33-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 23-26, 28, 31, 33-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. The amendment filed 09/17/08 have been entered and made of record.
2. Claim 23-26, 28, 31, and 33-40 are presented for examination.

### ***Claim Objections***

3. Claim 32 is objected to because of the following informalities: Claim 28 have depend on the canceled claim 27. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 23, 24-26, 33, 34-35, 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al. (Patent No.: US 6,574,765) in view of Hoffmann (Pub. No.: US2004/0042409 A1).

Regarding to claim 23, Sasaki '765 discloses a method for generating an information output (see figure 77, the device comprising the information output system and the memory system) (figure 77, information output system includes display section

Art Unit: 2419

250, code image generation condition setting section 300, supplementary information setting section for code image code image recognition 302) (figure 77, the memory system includes memory 72, precode image data generation section 294, coding parameter registration section 7070, code physical format storage section 296), comprising:

- ◆ Accessing a memory system (memory 72) having pre-coded information output components (col. 32, lines 4-6, precode image data ) to the information output, the coding method (figure 77, code image generation condition setting section 300, Supplementary information setting section for code image recognition 302, code physical format standard storage section 296) used for notifying the information output to the memory system (memory 72) by the information output system (col. 31, lines 64-66, The selected block size is registered in the memory 72 by the coding parameter registration section 70. The block size registered in the memory 72 is read out by the coding parameter registration section 70 and supplied to the block formation section 292. ) (figure 77, col. 32, lines 2-8, the precode image data generation execution section 294 generates precode image data in accordance with a code image generation condition and supplementary information for code image recognition, which are supplied from the coding parameter registration section 70 as coding parameters, and code physical format standard information supplied from the code physical format standard storage section 296);

Art Unit: 2419

- ◆ Transmitting at least one of the pre-coded information output components (precode image data) to the information output by the memory system, the information output component (figure 77, precode image data) pre-coded with the coding method (figure 77, code image generation condition setting section 300, Supplementary information setting section for code image recognition 302, code physical format standard storage section 296) (figure 77, col. 32, lines 2-8, the precode image data generation execution section 294 generates precode image data in accordance with a code image generation condition and supplementary information for code image recognition, which are supplied from the coding parameter registration section 70 as coding parameters, and code physical format standard information supplied from the code physical format standard storage section 296);
- ◆ Generating the information output (precode image data) based on the transmitted information output component (figure 77, col. 32, lines 2-8, the precode image data generation execution section 294 generates precode image data in accordance with a code image generation condition and supplementary information for code image recognition, which are supplied from the coding parameter registration section 70 as coding parameters, and code physical format standard information supplied from the code physical format standard storage section 296...these set values are temporary stored in the memory 72 by the coding parameter registration section 70, read out, and supplied to the precode image data generation execution section 294).

Art Unit: 2419

- ♦ the memory system (figure 77, code physical format standard storage section 296, coding parameter registration section 70) transmits creation rules to the information output system, the information output component (precode data generation execution section 294) and the creation rules (code physical format standard storage section 296) are stored in the information output system (figure 77, col. 31, lines 45-67).

However, Sasaki '765 are silent to disclosing the information output is generated upon an information output request based on the information output component or the creation rules.

Hoffmann '409 discloses the information output is generated upon an information output request based on the information output component (see abstract, based codec negotiation "request" transcoding take place) ([0010] according to codec negotiation, the target device carries out the transcoding (coding)).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teaching of Hoffmann '409 into the system of Sasaki '765, since Hoffmann '409 recited the motivation in the paragraph [0002] which establishing coding for working data generated according to different coding laws, between at least two subscriber terminals.

Regarding to claim 24, Sasaki '765 discloses wherein the information output includes an information element chosen from the group consisting of voice information (col. 2, lines 43-44, there is provided a code image data output apparatus which outputs code image

Art Unit: 2419

data corresponding to multimedia information including at least one of voice information and image information to a recording device for recording the multimedia information on a recording medium as an optically readable code image).

Regarding to claim 25, Sasaki '765 discloses the limitations of claim 23 above; however, Sasaki is silent to disclosing wherein the information output is request using standardized signaling protocol.

Hoffmann '409 disclose wherein the information output is request (coding negotiation) using standardized signaling protocol (page 2 [0018] protocol H.248).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teaching of Hoffmann '409 into the system of Sasaki '765, since Hoffmann '409 recited the motivation in the paragraph [0002] which establishing coding for working data generated according to different coding laws, between at least two subscriber terminals.

Regarding to claim 26, Sasaki '765 discloses the limitations of claim 23 above; however, Sasaki is silent to disclosing wherein the signaling protocol is MGCP or H.248/MEGACO.

Hoffmann '409 disclose wherein the signaling protocol is H.248 (page 2 [0018] protocol H.248).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teaching of Hoffmann '409 into the system of Sasaki '765,

Art Unit: 2419

since Hoffmann '409 recited the motivation in the paragraph [0002] which establishing coding for working data generated according to different coding laws, between at least two subscriber terminals.

Regarding to claim 33, Sasaki '765 discloses providing an information output design system (figure 77, precode image data generation execution section 294); generating a plurality of information output components (pre-coded image data) by the information output design system (figure 77, col. 32, lines 2-8, the precode image data generation execution section 294 generates precode image data in accordance with a code image generation condition and supplementary information for code image recognition, which are supplied from the coding parameter registration section 70 as coding parameters, and code physical format standard information supplied from the code physical format standard storage section 296); and transmitting at least one of the generated information output components (pre-coded image data) to the memory system (figure 77, memory 72) by the information design system (precode image data generation execution section 294).

Regarding to claim 34, Sasaki '765 disclose providing an information output design system (figure 77) ; generating creation rules (code image generation condition setting section 300) by the information output design system; and



Art Unit: 2419

transmitting the creation rules to the memory system (coding parameter registration section 70) (col. 32, lines 1-22).

Regarding to claim 35, Sasaki '765 disclose wherein the information output component is generated while the request for the information output is processed by the information output system (col. 31, lines 45-67, co. 32, lines 1-22).

Regarding to claim 36, Sasaki '765 disclose A device (figure 77, the precode image data generation section 40 ) for generating an information output to be transmitted over a packet-oriented network (col. 31, lines 46-48), (figure 77, information output system includes display section 250, code image generation condition setting section 300, supplementary information setting section for code image code image recognition 302) (figure 77, the memory system includes memory 72, precode image data generation section 294, coding parameter registration section 7070, code physical format storage section 296); the device comprising:

- ◆ An information output system (figure 77, code parameter input section 66) for generate an information output (generate precode image data output) based on at least one pre-coded information output component (precode image data) (figure 77, col. 32, lines 2-8, the precode image data generation execution section 294 generates precode image data in accordance with a code image generation condition and supplementary information for code image recognition, which are supplied from the coding parameter registration section 70 as coding

Art Unit: 2419

parameters, and code physical format standard information supplied from the code physical format standard storage section 296) ;

- ◆ Memory system for storing the pre-coded information output component (figure 77, precode image data) (col. 31, lines 64-66, The selected block size is registered in the memory 72 by the coding parameter registration section 70. The block size registered in the memory 72 is read out by the coding parameter registration section 70 and supplied to the block formation section 292); (col. 29, lines 21-25, The coding parameters are temporarily stored in a memory 72 by a coding parameter registration section 70, read out by the coding parameter registration section 70, and supplied to the coding execution section 242. The code format standard storage section 246 stores in advance format standard information used for coding. This format standard information is supplied to the coding execution section 242);
- ◆ A standardized interface for connecting the information output system to the memory system and for transferring the pre-coded information output component (precode image data) between the information output system and the memory system (col. 32, lines 19-20, transferring the precode image data output “code information confirmation” from the memory system to information output system).
- ◆ the memory system (figure 77, memory 72) is configured to transmit creation rules to the information output system, the information output component and the creation rules (code physical format standard storage section 296) are stored in the information output system (figure 77, col. 31, lines 45-67).

However, Sasaki '765 are silent to disclosing the information output is generated upon an information output request based on the information output component or the creation rules

Hoffmann '409 disclose the information output is generated upon an information output request based on the information output component (see abstract, based codec negotiation "request" transcoding take place) ([0010] according to codec negotiation, the target device carries out the transcoding (coding)).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teaching of Hoffmann '409 into the system of Sasaki '765, since Hoffmann '409 recited the motivation in the paragraph [0002] which establishing coding for working data generated according to different coding laws, between at least two subscriber terminals.

Regarding to claim 37, Sasaki et al. disclose an information output design system (figure 77, Precode Image Data Generation Execution section 294) for generate the pre-coded information output component (precode image data), wherein the pre-coded information output component (precode image data) is transferred via the standardized interface (coding parameter registration section 70) between the information design system (precode image data generation execution section 294) and the memory system (memory 72) (col. 32, lines 15-22, These set values are temporarily stored in the memory 72 by the coding parameter registration section 70, read out, and supplied to the precode image data generation execution section 294. The code information

Art Unit: 2419

including the coding parameters stored in the memory 72 is displayed on the display section 250 by the coding parameter registration section 70, so that the user can confirm the information).

5. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combined system (Sasaki '765 - Hoffmann '409) in view of Gentric (Pub. No.: US 2002/0009151).

Regarding to claim 28, the combined system (Sasaki '765 - Hoffmann '409) disclose the limitations of claim 27 above; however, the combined system (Sasaki '765 - Hoffmann '409) are silent to disclosing wherein the creation rules are stored in the information output system for further use.

Gentric '151 discloses wherein the creation rules (the fragment information) are stored in the information output system for the further use (Abstract, the fragmentation information, structuring the coded bitstream into independent entities, is stored during encoding in a fragment structure independent from the .mp4 file. The invention also relates to a coded signal available at the output of such an encoder, and to a terminal receiving said coded signal and reading it according to a file structure having the appropriate syntax. ) (page 1 [0007] The fragmentation information, which is media specific (it is different for each media type: audio, video, . . . , and even for distinct encoding options), is located in the hint tracks of the .mp4 file format and available at the output of the encoder).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate transmitting creation rules to the information output system, the information output is generated from the at least coded information component based on the creation rules taught by Gentric '151 into the combined system (Sasaki '765 - Hoffmann '409) in order to enable the decoder to recover some context in spite of the loss (Gentric, page 1 [0007]).

6. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combined system (Sasaki '765 - Hoffmann '409) in view of Bonomi et al. (Patent No.: US 6,769,127 B1).

Regarding claim 31, the combined system (Sasaki '765 - Hoffmann '409) disclose the limitations of claim 23 above.

However, the combined system (Sasaki '765 - Hoffmann '409) are silent to disclosing wherein the pre-coded information output component is stored in the information output system stored for a limited period of time, the period of time determined from at least one characteristic of the information output component to be stored.

Bonomi '127 disclose wherein the pre-coded information (col.11, lines 48-50 precoding information) output component is stored in the information output system stored for a limited period of time, the period of time determined from at least one characteristic of the information output component to be stored (col. 9, lines 38-40, the recording space 230 is storing such programs for a limited time).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teaching of Bonomi '127 into the combined system (Sasaki '765 - Hoffmann '409), since Bonomi '127 recited the motivation in the col. 2, lines 26-27 which improves approaches to configuration, management and operation of a media delivery system.

7. Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combined system (Sasaki '765 - Hoffmann '409) in view of Gentric (Pub. No.: US 2002/0009151).

Regarding to claim 38, Sasaki '765 disclose the limitations of claim 36 above; however, Sasaki et al. are silent to disclosing wherein the information output design system or the memory system is configured to: generate creation rules for generating the information output, and transmit the creation rules to the information output system.

Gentric '151 , discloses wherein the information output design system is configured to: generate create rules (pre-segmentation information) for generating information output, and transmit the creation rules (the fragment information) to the information output system (Abstract, These tracks include a pre-segmentation information indicating how to fragment the encoded data, organized in Access Units, in order to match the size of the packets used for a packetized transmission (ATM, MPEG-2 TS, IP, . . .) (page 1, [0005] The role of the hint track will then be to store the information about how the network packets are made, how they can be filled: the hint

Art Unit: 2419

track indeed contains pre-segmentation information so that a server knows how to fragment each Access Unit into network packets).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate wherein the information output design system is configured to: generate creation rules for generating the information output, and transmit the creation rules to the information output system taught by Gentric '151 into the combined system (Sasaki '765 - Hoffmann '409) in order to enable the decoder to recover some context in spite of the loss (Gentric, page 1 [0007]).

8. Claims 39, 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combined system (Sasaki '765 - Hoffmann '409) in view of Saito (Patent No.: US 5,815,502).

Regarding to claim 39, Sasaki '765 disclose the limitations of claim 36 above; However, Sasaki is silent to disclosing a plurality of information output systems and at least two memory systems, wherein each information output system in configured to access at least two of the memory systems, wherein each information output system in configured to access at least two of the memory systems.

Saito '502 discloses a plurality of information output systems (figure 9, output 351) and at least two memory systems (figure 9, storage 402, 403, 404) , wherein each information output system (figure 9, output 351) in configured to access at least two of the memory systems (figure 9, storage 402, 403, 404 ) , wherein each information output system (figure 9, output 351) in configured to access at least two of the memory

Art Unit: 2419

systems (figure 9, storage 402) (col. 9, lines 65-67, the storages 402-404 may be structured so as to have a variable data transfer speed by controlling the storages by an output of the traffic monitor means).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate a plurality of information output systems and at least two memory systems, wherein each information output system is configured to access at least two of the memory systems, wherein each information output system is configured to access at least two of the memory systems taught by Saito '502 into the combined system (Sasaki '765 - Hoffmann '409) in order to provide a variable data read speed (Saito, col. 8, lines 34). The combined would have been transmitted at a higher speed in a shorter time (Saito, col. 8, line 31).

Regarding to claim 40, Sasaki ' 765 disclose the limitations of claim 36 above; However, Sasaki is silent to disclosing wherein the device comprises a plurality of memory systems, and the information output design system is configured to access the plurality of memory systems.

Saito ' 502 discloses wherein the device comprises a plurality of memory systems (figure 9, storage 402, 403, 404 ), and the information output design system (figure 9, selector 407) is configured to access the plurality of memory systems (col. 8, lines 5-6, a signal read from the storages 402 to 404 is inputted via the buffer 406 to a selector 407 and distributed as an output signal 351 which is then transmitted).



Art Unit: 2419

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate wherein the device comprises a plurality of memory systems, and the information output design system is configured to access the plurality of memory systems taught by Saito '502 into the combined system (Sasaki '765 - Hoffmann '409) in order to provide a variable data read speed (Saito, col. 8, lines 34). The combined would have been transmitted at a higher speed in a shorter time (Saito, col. 8, line 31).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHUONG T. HO whose telephone number is (571)272-3133. The examiner can normally be reached on 8:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, EDAN ORGAD can be reached on (571) 272-7884. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2419

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

12/16/08

/Edan Orgad/  
Supervisory Patent Examiner, Art Unit 2419